IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.W.P. No. 618 of 2007

Date of Decision : 16.01.2007

Dr. Inderpreet Kaur ... Petitioner

Versus

Union of India and others. .. Respondents

CORAM : HON'BLE MR. JUSTICE J.S. KHEHAR,
HON'BLE MR. JUSTICE S.D. ANAND.

Present : Mr. Daljit Singh Rajput, Advocate,
for the petitioner.

J.S. Khehar, J. (Oral)

To authenticate the factual position depicted in the writ petition, learned counsel for the petitioner has handed over to us in Court today, a photo copy of the report on the incident in issue, which appeared in the Chandigarh Bhaskar, published on 15.01.2007. The same is taken on record and marked as Annexure `A'. It is the contention of the learned counsel for the petitioner, that the petitioner reached the venue of the examination before the allotted time, but was not allowed to enter it on account of the fact that the gate of the premises was closed. Newspaper report (Annexure `A') incorporates the statement of the Principal to the effect that only such candidates who had reached late were not allowed to enter the premises of the examination centre. In her statement the Principal, also asserted that an observer from the All India Institute of Medical Sciences, New Delhi, was available at the venue and had noticed the factual position.

In view of the above, we are of the view that the disputed questions of fact have been raised in the instant writ petition and without

returning a finding thereon, it is not possible to arrive at an effective conclusion on the controversy raised in the instant writ petition.

In view of the above, we decline to entertain the claim raised by the petitioner under Article 226 of the Constitution of India. It will be open to the petitioner to avail of some other alternative remedy, if she is so advised, in accordance with law.

Dismissed.

(J.S. Khehar)
Judge

January 16, 2007 (S.D. Anand)
vkd Judge